

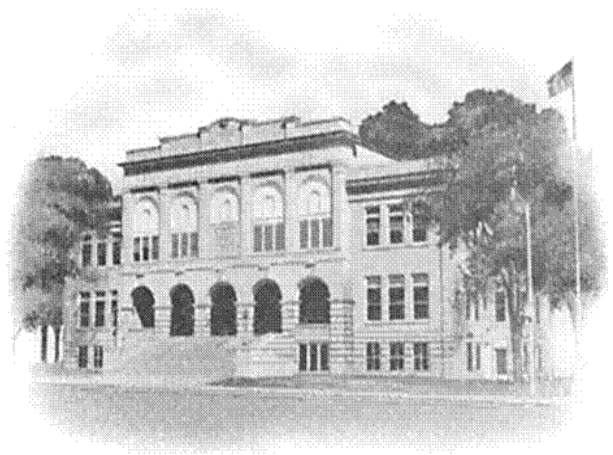
Welcome to Benton County!

We believe that every employee helps to make Benton County successful. We hope that you will be proud to be a member of our team.

This handbook describes many of our policies. The handbook also outlines many of the programs and benefits available to eligible employees.

The handbook will answer many questions you may have about your employment at Benton County. We suggest that you become familiar about the handbook as soon as possible.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!



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Benton County Employment Policy Handbook

Our Mission Statement

The mission of the elected officials and employees of Benton County is to ensure the health and safety of its citizens while providing, in a fiscally responsible manner, the infrastructure necessary for balanced growth, prosperity, and quality of life.

Understanding our Structure

If you haven't worked for a government entity before now, it is important that you have some information about how we work. Each elected official is solely responsible for their area of government. That is to say, each elected official is like the CEO of their own publicly held company. Each elected official may adopt additional policies and procedures, provided they do not conflict with the policies stated in this document. Within the County, the following are elected Officials:

Assessor	County Judge	Circuit Clerk
Collector	Coroner	County Clerk
Prosecuting Attorney	Sheriff	Treasurer

The following departments report to the County Judge:

Building Maintenance and Janitorial Services, CENCOM, Department of Emergency Management, Environmental Services, Finance/Human Resources, Information Services, Juvenile Detention Center, 911 Administration, Planning Department, Road Department, and Veterans Services

Some employees are County employees but they report to a State of Arkansas Employee. This is the case with the Prosecuting Attorney's Office, Public Defenders Office, and the various Circuit Judges.

The Quorum Court

The Quorum Court is the legislative body of the County comprised of 13 members from various districts and at-large positions. They exercise local legislative authority to levy taxes, appropriate public funds for the expenses of the County in a manner prescribed by ordinance. They can fix the number and compensation of deputies, county employees and county officials within a minimum and maximum to be determined by law.

Two websites may help you better understand the roles and responsibilities of the various areas of government.

The Benton County Website is www.bentoncountyar.gov and the Arkansas Association of Counties Website is www.arcounties.org

Elected Officials

When working for an elected official it is important to remember that when elections occur there is always the possibility that you may get a new boss. While it rarely happens, and when it does it is minimal, newly elected officials have the authority to bring in new staff. Elections happen every two years on even numbered years. If your job is not going to be renewed you will be notified by the newly elected official by December 31st of the even-numbered years.

INTRODUCTION

This employee handbook will give you important information about working for Benton County. The policies in the handbook explain many of the benefits. The handbook also explains what we expect of you and includes many of our rules and guidelines

However, this employee handbook cannot cover every situation or answer every question about policies and benefits at Benton County. Also, sometimes we may need to change the handbook. Benton County has the right to add new policies, change policies, or cancel policies at any time. The only policy we will never change or cancel is our employment-at-will policy. The employment-at-will policy allows you or Benton County to terminate your employment at any time for any reason. The employment-at-will policy is further described in the policy titled "*Nature of Employment*." (page 6) If we make changes to the handbook, we will tell you about the changes.

Employee Relations

Our customers, the residents of Benton County, are very important to us. Every employee represents Benton County government to the public. Our customers judge all of us by how they are treated. One of the highest priorities at Benton County is to help any customer or potential customer. Nothing is more important than being courteous, friendly, prompt, and helpful.

Your contacts with the public, your telephone manners, and any communications you send to customers reflect not just on you; but, also on the professionalism for all employees of Benton County.

As a public service employee you may have access to information concerning private citizens. It is essential in maintaining the public trust that all information is kept confidential unless formally requested under the Freedom of Information Act. Under this act, the public can request access to much of this information. If you are requested to grant access to any information, please consult your immediate supervisor and/or elected official.

Our telephone communications are an important reflection of our image to customers and the community. Always use proper telephone etiquette. The following are some examples of good telephone etiquette: use the approved greeting, speak courteously and professionally, repeat information back to the caller, and only hang up after the caller hangs up.

We believe that the work conditions, wages, and benefits we offer to Benton County employees are competitive with those offered by other employers in this area. If you have concerns about work conditions or compensation, we strongly encourage you to express these concerns openly and directly to your supervisor and/or elected official, and/or the manager of the human resources department.

Our experience has shown that when employees deal openly and directly with management, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that Benton County fully demonstrates its commitment to employees by responding effectively to employee concerns.

General Rules of Employment

101 Nature of Employment

You became an employee at Benton County voluntarily and your employment is at will. "At will" means that you are free to resign at any time, with or without cause. Likewise, "at will" means that Benton County may terminate your employment at any time, with or without cause or advance notice, as long as we do not violate any applicable federal or state law.

102 Equal Employment Opportunity

To give equal employment and advancement opportunities to all people, we make employment decisions at Benton County based on each person's performance, qualifications, and abilities. Benton County does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

We will make reasonable accommodations for qualified individuals with known disabilities unless making the reasonable accommodation would result in an undue hardship to Benton County.

Our Equal Employment Opportunity policy covers all employment practices, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

If you have a question about any type of discrimination at work, talk with any supervisor and/or elected official, human resources manager, and the Benton County Attorney's Office. You will not be punished for asking questions about this. Also, if we find out that anyone was illegally discriminating against someone, that person will be subject to disciplinary action, up to and including termination of employment.

103 Immigration Law Compliance

Benton County is committed to employing only people who are United States citizens or who are aliens, legally authorized to work in the United States. We do not illegally discriminate because of a person's citizenship or national origin.

Because we comply with the Immigration Reform and Control Act of 1986, every new employee at Benton County is required to complete the Employment Eligibility Verification Form I-9 and show documents that prove identity and employment eligibility. This form must be completed, in full, within three days of hire. If the employee must order copies of required documents, he/she must submit receipts of the order of documents within 3 days and the official copies of the documents within 90 days.

If you leave Benton County and are rehired, you must complete another Form I-9 if the previous I-9 with Benton County is more than three years old, or if the original I-9 is not accurate anymore, or if we no longer have the original I-9.

If you have questions or want information on immigration laws, contact the Human Resources Department.

104 Ethics and Conduct

We expect Benton County employees to be ethical in their conduct. It affects our reputation and success. Benton County requires employees to carefully follow all laws and regulations, and have the highest standards of conduct and personal integrity.

Our continued success depends on the public's trust. Employees owe a duty to Benton County and our public to act in ways that will earn their continued trust and confidence.

As an organization, Benton County will comply with all applicable laws and regulations. We expect all management, elected officials, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to not do anything that is illegal, dishonest, or unethical.

If you use good judgment and follow high ethical principles, you will make the right decisions. However, if you are not sure if an action is ethical or proper, you should discuss the matter openly with your supervisor and/or elected official and/or Elected Official. If necessary, you may also contact the County Attorney.

It is the responsibility of every Benton County employee to comply with our policy of ethics and conduct. Employees who ignore or do not comply with this standard of business ethics and conduct may be subject to disciplinary action, up to and including possible termination of employment.

Some of the specific rules of conduct are:

1. County employees shall not grant any special consideration or advantage to individuals or groups beyond that which is available to every other individual or group.
2. County employees shall not engage in conflict of interest activities that prove to be incompatible with assigned duties, bring discredit upon the county, or give them an advantage in their outside activities over persons working in similar vocations.
3. County employees shall not accept gifts, services, gratuities, or favors, or engage in trading or bartering with those in custody or their families or friends.
4. County employees shall not use county funds, supplies, equipment, or facilities for purposes other than to conduct official county business.
5. County employees shall not use official positions to receive special favors for themselves or others.
6. County employees shall exercise care and emphasize safety in the use of county property and equipment.
7. County employees shall perform their duties fairly, impartially, and in a professional manner.
8. County employees shall conduct themselves both on the job and off duty so as to command the respect of fellow workers and the general public. Use of profanity and/or comments made regarding a person's race, religion, ethnic background, or anything sexual in nature will not be tolerated and may result in disciplinary actions up to and including termination.
9. County employees shall not display prejudice against persons or organizations, thus affecting cordiality or contact with other employees or the public.
10. Outside employment of a continual nature must be reported to the elected official and/or department head. Under no circumstances will a person be allowed to work at a job that conflict in any way with his/her duties as a county employee.
11. No employee shall engage in any private business in the hours for which the county is compensating him or her.

105 Political Activities:

Working in government brings about a set of rules concerning political activity. The following rules are set by State laws and must be followed without exception.

1. No County employee shall participate in partisan politics during working hours. “No public officer, deputy or assistant shall devote any time or labor during usual office hours toward the campaign of any other candidate for office or for the nomination to any office.” Ark. Code Anno. 7-1-103 (a)(2)(A)
2. Use of County property or facilities (cars, computer, Internet, electronic mail, stationery, telephones, offices, etc.) for campaigning is prohibited.
3. No county employee shall circulate an initiative or referendum petition or solicit signatures on an initiative or referendum petition in any public office of the county or during the usual office hours or while on duty for county government.
4. “No public servant, as defined in Ark. Code Anno. §21-8-402(17), shall use any office or room furnished at public expense to distribute any letters, circulars, or other campaign materials, unless such office or room is regularly used by members of the public for such purposes without regard to political affiliation. It shall further be unlawful for any public servant to use for campaign purposes any item of personal property provided with public funds.” Ark. Code Anno. §7-1-103(a)(3)
5. “No campaign banners, cards, or campaign literature shall be placed on any cars, trucks, tractors belonging to the State of Arkansas or any municipality or County in the State.” Ark. Code Anno. §7-1-103(a)(6)
6. No person shall assess any County employee for any political purpose whatever, or to coerce by threats or otherwise any such employee into making subscriptions or contributions for any political purpose.
7. Any employee who becomes a candidate for election to a county, judicial district, state or national office may take his or her accrued vacation leave or be granted a leave of absence without pay during the time he or she actively campaigns. An elected official may require an employee who becomes a candidate to take vacation leave or leave of absence without pay during the time he or she actively campaigns. However, if the employee is a candidate for the office of the elected official who supervises him or her, any involuntary leave shall be reviewed by the Quorum Court.
8. All political parties, with permission of the County Judge, may use County meeting rooms on an equal basis.

106 Conflicts of Interest

Benton County has guidelines to avoid real or potential conflicts of interest. It is your duty as an employee of Benton County to follow the following guidelines about conflicts of interest. If this is not clear to you or if you have questions about conflicts of interest, contact your Elected Official.

What is a conflict of interest? An actual or potential conflict of interest is when you are in a position to influence a decision or have business dealings on behalf of Benton County that might result in a personal gain for you or for one of your relatives. For conflicts of interest, a relative is any person who is related to you by blood or marriage, or whose relationship with you is similar to being a relative even though they are not related by blood or marriage. **Benton County Employees and their immediate family members are prohibited, by law, to bid on or knowingly come into possession of County-owned property or property sold through the County surplus property auctions.**

We do not automatically assume that there is a conflict of interest if you have a relationship with another organization. However, if you have any influence on transactions involving purchases, contracts, or leases, you must tell your supervisor and/or elected official and/or Elected Official as soon as possible. By telling us that there is the possibility of an actual or potential conflict of interest, we can set up safeguards to protect everyone involved.

The possibility for personal gain is not limited to situations where you or your relative has a significant ownership in a firm with which Benton County does business. Personal gains can also result from situations where you or your relative receives a kickback, bribe, substantial gift, or special consideration as a result of a transaction or business dealing involving Benton County.

More specific laws governing potential conflict of interest are:

No official of county government shall "be interested, either directly or indirectly, in any contract of transaction made, authorized, or entered into on behalf of the county... or accept or receive any property, money, or other valuable thing, for his or her use or benefit on account of, connected with, or growing out of any contract or transaction of a county," except as provided by ordinance pursuant to Ark. Code Ann. 14-13-1311.

The holding of public office or employment is a public trust created by the confidence, which the electorate reposes in the integrity of officers and employees of county government. An officer or employee shall carry out all duties assigned by law for the benefit of the people of the county. The officer or employee may not use his office t, the influence created by his or her official position, or information gained by virtue of his or her position to advance his or her individual personal economic interest or that of an immediate member of his or her family or an associate, other than advancing strictly incidental benefits as may accrue to any of them from the enactment or administration of law affecting the public generally. (A.C.A. 14-14-1203)

107 Employee Conduct and Work Rules

To ensure orderly operations and provide the best possible work environment, we expect employees to follow rules of conduct that will protect the interests and safety of all employees and the organization. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property
- Falsification of timekeeping records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace
- Negligence or improper conduct leading to damage of employer-owned property
- Insubordination or other disrespectful conduct
- Violation of safety or health rules
- Smoking in prohibited areas
- Sexual or other unlawful or unwelcome harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Excessive absenteeism or any absences without notice
- Unauthorized use of telephones, mail system, or other employer-owned equipment
- Unauthorized disclosure of confidential information
- Unsatisfactory performance or conduct

108 Sexual and Other Unlawful Harassment (BC Code Anno. 7-525)

Benton County is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Benton County will not tolerate any actions, words, jokes, or comments based on a person's sex, race, color, national origin, age, religion, disability, or any other legally protected characteristic.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual or other unlawful harassment at work, report it immediately to your supervisor and/or elected official. If your supervisor and/or elected official is unavailable or you believe it would be inappropriate to discuss it with your supervisor and/or elected official, you should immediately contact the Benton County Attorney or the human resources manager. There will not be punishment or reprisal if you report sexual harassment or ask questions or raise concerns about it.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and the confidentiality of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any supervisor and/or elected official or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the Benton County Attorney or the human resources manager so it can be investigated in a timely and confidential manner. Any employee who engages in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

109 Drug-Free Workplace

We are committed to making Benton County a safe, efficient, and productive work environment for all employees. There can be serious safety and health risks if an employee uses or is under the influence of drugs or alcohol on the job. Benton County prohibits the unlawful manufacture, distribution, dispensation, sales, possession or use of any drug by its employees in its workplace. Each employee agrees, as a condition of employment, to abide by this policy and to notify his or her supervisor and/or elected official no later than five days after any conviction under a criminal drug statute for a violation that occurred in the workplace. Under no circumstances may an employee operate a County vehicle while on a prescribed medication that may influence his/her abilities to function at normal capacity. If your physician prescribes a medication, please inform your supervisor, prior to beginning work. Failure to comply may result in your termination.

Any County employee who violates this policy or who is convicted under a criminal drug statute for a violation occurring in the workplace will be subject to disciplinary action up to and including dismissal and may be required to participate satisfactorily in a drug abuse assistance or rehabilitation program.

We ask all job applicants at the time of hiring and existing employees, on a random basis, to provide body substance samples, such as urine and/or blood. We will use the samples to check for the illegal or illicit use of drugs. If you refuse to be tested for drugs, you will be subject to disciplinary action, up to and including termination of employment.

Public safety employees are subject to pre-employment, reasonable suspicion, random, post-accident, and return-to duty and follow-up testing. Public safety employees shall include those employees whose duties require them to maintain a commercial driver's license; carry a firearm; routinely operate county and emergency vehicles and/or serve as a mechanic on County vehicles.

An employee suspected of unlawful use of drugs or abuse of alcohol while on duty, as established by the Rules, or who is involved in an accident as defined in 49 CFR 390.4 (and receives a citation for a moving traffic violation in this section) by the Rules, shall be suspended immediately with pay until the results of the drug or alcohol test are received by the county's Human Resource Department

All employees must sign an acknowledgement form that says that you got a copy of the drug testing policy. If you have questions about our drug testing policy or its administration, contact the Human Resources Manager.

110 Hiring of Relatives and Personal Relationships in the Workplace

When relatives work in the same area of an organization, it may cause problems at work. In addition to claims of favoritism and morale issues, personal conflicts from the outside can sometimes carry over to work.

For this policy, we define a relative as any person who is a parent, parent-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, or other family member who resides in the same household.

Our policy is that an employee may not directly work for a relative or supervise a relative. Benton County also reserves the right to take quick action if an actual or potential conflict of interest arises involving relatives or persons involved in a dating relationship who are in positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

If two employees become relatives, and one of them supervises the other, the one who is the supervisor and/or elected official is required to tell management about the relationship. We will then ask the two employees to decide which one of them is to be transferred to another available position. If they do not make that decision within 60 calendar days, Benton County will decide which one will be transferred or, if necessary, terminated from employment.

There may also be situations when there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct reporting relationship or authority involved. In that case, we may separate the employees by reassignment or termination of employment. At the discretion of an elected official and on a temporary employment basis only (less than 90 days) a relative may be hired if they hold the competencies required for completion of the project assignment.

111 Outside Employment

You may hold an outside job as long as you can satisfactorily perform your Benton County job and the job does not interfere with our scheduling demands. If you have another job at the same time you are working for Benton County, you must notify your supervisor and/or elected official. If you decide to take another job while you are employed by Benton County, you must first receive the approval of your supervisor and/or elected official. Please provide a written notification to your supervisor or elected official prior to accepting a second job.

We hold all employees to the same performance standards and scheduling expectations regardless if they have other jobs. In order to remain employed at Benton County, we will ask you to terminate an outside job if we determine that it is adversely impacting your performance or your ability to meet our requirements, which may change over time.

You may not have an outside job that is a conflict of interest with Benton County. Also, you may not get paid or get anything in return from a person outside Benton County in exchange for something you produce or a service you provide as part of your Benton County job.

112 Employee Medical Examinations

Benton County may require some employees to have a medical examination either as a hiring requirement or as a requirement for continued employment, as required by State Law. The exam is to help make sure you can perform your duties and protect yourself and others from injury.

After we have extended a tentative job offer to an applicant for certain types of jobs, we may require a medical examination. We will choose the health professional and pay for the examination. The job offer and starting the job depends on whether the applicant satisfactorily passes the exam.

We keep any medical information separate from your other personnel information to protect your privacy. Also, only people who have a legitimate business need to know may see medical information.

Compensation and Payroll Administration

201 Employment Categories

It is important that you understand the definitions of the employment classifications at Benton County and know your classification. Your employment classification helps determine your employment status and your eligibility for benefits. If you have questions or are not sure what your employment classification is, see your supervisor and/or elected official.

These employment classifications do not guarantee employment with Benton County for any specific period of time. You became an employee at Benton County voluntarily and your employment is at will. "At will" means that you may terminate your employment at any time, with or without cause or advance notice. Likewise, "at will" means that Benton County may terminate your employment at any time, with or without cause or advance notice, as long as we do not violate federal or state laws.

Depending on your job, you are either NONEXEMPT or EXEMPT from federal and state wage and hour laws. If you are a NONEXEMPT employee, you are entitled to overtime pay under the specific provisions of federal and state laws. If you are an EXEMPT employee, you are excluded from specific provisions of federal and state wage and hour laws. Your EXEMPT or NONEXEMPT classification may be changed only through the job description reevaluation process or through changes in the laws.

In addition being a Nonexempt or Exempt employee, you also belong to one of the following employment categories:

You are a REGULAR FULL-TIME employee if: you are not assigned to a temporary classification AND you are regularly scheduled to work the Benton County full-time schedule 30 or more hours per week). In most cases, regular full-time employees are eligible for all Benton County benefit programs, subject to the terms, conditions, and limitations of each benefit program.

You are a PART-TIME –Benefits Eligible employee if: you are not in a temporary classification AND you are regularly scheduled to work less than 30 hours per week and more than 20 hours . Part-time-Benefit Eligible employees receive all legally mandated benefits; such as Social Security and workers' compensation insurance; as well as, Arkansas Public Retirement (APERS) and part-time vacation accrual.

You are a PART-TIME --Non-Benefits Eligible employee if: you are not in a temporary classification AND you are regularly scheduled to work less than 20 hours per week. Part-time- Non-Benefit Eligible employees receive all legally mandated benefits; such as Social Security and workers' compensation insurance employees but are not eligible for the other Benton County benefit programs.

You are a TEMPORARY employee if: you were hired as an interim replacement, to temporarily increase our workforce, or to help finish a specific project. Employees hired in the temporary classification may only work up to 89 days. The work hours are not limited, however; overtime will be paid as earned rather than accruing. If you are hired to work in one of the other classifications your hire date will not reflect the time worked as a temporary employee. Temporary employees receive all legally mandated benefits, such as Social Security and workers' compensation insurance. Temporary employees are not eligible for any other Benton County benefit programs.

202 Salary Administration

We have a salary administration program at Benton County. The salary administration program helps us have consistent pay practices, comply with federal and state laws, support our commitment to Equal Employment Opportunity, and offer competitive salaries within our labor market.

We are committed to paying equitable wages that are based on the requirements and responsibilities of each job. We also try to pay wages that are comparable to the wages paid to employees in similar jobs in other organizations in the area.

Compensation for each job is based on several factors. The factors include job analysis and evaluation, the essential duties and responsibilities of the job, and salary survey data (how other employers pay their employees). We periodically review our salary administration program and change it as necessary.

We may give merit-based pay adjustments to some employees to recognize superior employee performance. These adjustments are based on a number of factors including the information documented by the formal performance evaluations.

If you have a question about compensation in your area or for your job, talk with your supervisor and/or elected official. If you have a question about Benton County's salary administration Policy, contact your elected official or the Human Resources Manager.

203 Performance Evaluations

We encourage you and your supervisor and/or elected official to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted once a year, to discuss your work, goals, correct weaknesses, and to encourage and recognize your strengths.

We may give merit-based pay adjustments to some employees to recognize truly superior employee performance. These adjustments are based on a number of factors including the information documented by the formal performance evaluations and the availability of merit funding, determined by the Quorum Court during the annual budget process.

Your performance evaluation will become part of your employee file. It is meant to provide a record of your strengths and areas for improvement, as well as a statement of your goals for the upcoming year.

204 Job Descriptions and Personnel Records

We try to have accurate job descriptions for all jobs at Benton County. A job description includes the following sections: job information; job summary (gives a general overview of the job's purpose); essential duties and responsibilities; supervisor; responsibilities; qualifications (includes education and/or experience, language skills, mathematical skills, reasoning ability, and any certification required); physical demands; and work environment.

We use the job descriptions to help new employees understand their jobs and their responsibilities. We also use job descriptions to identify the requirements of a job, set up the hiring criteria, set standards for employee performance evaluations, and establish a basis for making reasonable accommodations for individuals with disabilities.

The elected official and the human resource manager prepare a job description when a new job is created. We review existing job descriptions and change them when a job changes. You can help by making sure that your job description is accurate and describes your job duties.

Your job description does not necessarily cover every task or duty that you might be assigned. You may be assigned additional responsibilities as necessary. If you have questions or concerns about your job description, contact your elected official.

Personnel Records:

Your Personnel file is maintained in the Human Resources Department. All medical information shall be maintained in a separate and secure location. It is important that you inform the human resources department if you have a change in name, marital status, address, insurance beneficiaries, or work visas. Failure to notify the human resources department could cause delays in receiving insurance and retirement benefits.

205 Work Schedules

The normal work schedule for all Benton County employees is 8 hours worked per day, 5 days a week. Your elected official will tell you what time your work schedule will normally start and end, as well as determine the hours of operation.

Our staffing needs and work demands may require that we change the starting and ending times of work schedules. We may also need to change the number of work hours that are scheduled each day and week. Any hour worked, over 40 hours per week, **or 80 hours per pay period for certain positions within the Sheriff's Office**, will be calculated at a rate of one and one-half hours of overtime. Elected Officials must approve all overtime hours. Absence without authorized leave, including any day or part of the day, shall be considered a violation of the Benton County Employment Policy.

206 Emergency Closings

There may be times when emergencies, such as severe weather, fires, power failures, etc. disrupt normal business operations at Benton County. We may even have to close a work facility. Only the County Judge may declare the County offices and services closed. If the County Judge, or his/her designate, decides to close County offices, local radio and/or television stations will be notified to announce that we will be closed.

When we are officially closed due to emergency conditions, you will be paid for the time off.

If an emergency closing is not authorized by the County Judge and you do not report for work, you

will not be paid for the time off. You may request to use any available paid time off you have, such as vacation or comp time.

Anyone employed in the areas of public safety: Sheriff's Office/Jail, CENCOM, and the Juvenile Detention Center, who is scheduled to work during inclement weather, will be expected to report to work his/her normal hours during inclement weather closings, without additional compensation.

If a non-exempt employee works, at the discretion of the Elected Official, during inclement weather when County buildings are closed, the employee will receive compensation at a rate of 1.5 times his/her normal rate for hours the County offices were closed.

If the County is closed for a portion of a day, such as with a delayed opening, only those hours will be used to calculate eligible employees' pay. If the County is closed for an entire day, the designated closing time will be 8:00 a.m. till the time the County is declared open will be used to calculate eligible employees' pay. If you are on pre-scheduled vacation leave or sick leave you will not be paid for the emergency closing but will receive your leave pay.

207 Rest and Meal Periods

The allowance for and scheduling of breaks and meals is left to the discretion of each elected official. Even though Federal law does not require lunch or intermittent breaks, we recognize the importance of having breaks in maintaining productivity.

During meal periods, you are not subject to any work responsibilities or restrictions. You will not be paid for meal period time. Your elected official or supervisor and/or elected official will determine meal and break schedules based on work demands.

208 Paydays

All employees are paid biweekly on every other Friday. Each paycheck includes pay for all work performed through the end of the previous payroll period.

If a payday falls on a holiday, you will be paid on the last work day before that payday.

If you are on vacation on payday, you will get your paycheck when you return or you may request, in writing, that you are designating another person the authority to pick-up your check.

New Employees must complete the orientation program no later than the Friday before a pay date. Forms completed during this program are necessary to enter him/her into the payroll system. Failure to attend the orientation prior to your first pay date will result in the delay of receiving a paycheck until the following pay date. (See **214 Direct Deposit**)

209 Timekeeping

Nonexempt employees are responsible for accurately recording the hours they work. The law requires Benton County to keep accurate records of "time worked" in order to correctly calculate employee pay and benefits. "Time worked" means all the time that nonexempt employees spend performing their assigned work.

If you are a nonexempt employee, you must accurately record the time you start and stop work. All

other time off of work (vacation, sick, leave without pay...) should be accurately entered on the exact day taken. Before you work any overtime, you must always get advance approval. Exempt employees must submit a timesheet but only time taken other than actual work time must be notated.

Falsifying time records is a serious matter. You may not change time after it is already recorded, enter a false time on purpose, tamper with time records, or record other employees' time for them. If you do any of these actions, you may be subject to disciplinary action, up to, and including termination.

If you are a nonexempt employee, you should not start working more than 7 minutes before your scheduled start time. You should also not continue working more than 7 minutes after your schedule end time. You can only start earlier or work later when your supervisor and/or elected official approves it in advance.

Nonexempt employees must sign their time records to say they are accurate. Each supervisor and/or elected official will review and initial the time record before submitting it for payroll processing. In addition, if corrections or changes are made to the time record, you and your supervisor and/or elected official must initial the changes on the time record.

Timesheets must be turned into your supervisor and/or elected official in a timely manner. Neglecting to turn in your timesheet may result in you not being paid until the following pay period.

210 Compensatory Time (Comp. Time) and Overtime

There may be times when Benton County cannot meet its operating requirements or other needs during regular working hours. If this happens, we may give employees the opportunity to work overtime. Certain positions, within the Sheriff's Office, calculate overtime based on hours worked over 80 hours per pay period.

It is our policy that no overtime can be worked without the approval and authorization of the supervisor and/or elected official. We try to distribute overtime assignments fairly among all employees who are qualified to perform the required work.

Overtime is based on the actual hours worked. For this reason, time off for sick leave, vacation, and other paid or unpaid leaves of absence is not counted as hours worked when calculating overtime.

Calculation of Compensatory Time

In accordance with the federal and state wage and hour laws compensatory time-off will be granted to non-exempt employees for time worked more than the normal work period. Compensatory time-off will be calculated at a rate of one and one-half hours for each hour of time worked in excess of the normal work period.

The amount of overtime is calculated in fifteen (15) minute increments. If less than eight (8) minutes are worked, the number of minutes of overtime will be rounded downward. If eight (8) minutes or more are worked, the number of minutes of overtime will be rounded upward.

Overtime Pay

No employee shall accrue more than forty (40) hours of compensatory time. Once the threshold of an accrued forty (40) hours of compensatory time has been reached, the non-exempt employee shall receive overtime pay in cash at a rate of one and one-half times the rate earned for any additional overtime over the forty (40) hours.

Using Compensatory Time

Accumulated compensatory time records will be maintained by the Human Resource Department. It is recommended that employees use any compensatory time within the pay period following the pay

period where the overtime is incurred. Accrued compensatory time will be expended prior to expending any accrued annual leave. As with any time-off of work, any alterations to your normal hours of work should be discussed and agreed upon by your supervisor and/or elected official. Compensatory time must be used before using vacation leave.

When an employee transfers to another department, or to a salaried position all earned compensatory time will be paid prior to transfer.

211 Administrative Pay Corrections

Benton County tries to make sure that you are paid correctly and on scheduled paydays. In case you find a mistake in your pay, tell the Payroll Coordinator in the Human Resource Department immediately so that the error can be corrected as quickly as possible. If the error in your pay was due to incorrect information entered on your timesheet, the correction will be made during the following payroll.

212 Attendance and Punctuality

We expect Benton County employees to be reliable and punctual. You should report for work on time and as scheduled. An employee, who is unable to report for work or you will be late for any reason, shall report the reasons to their supervisor within one (1) hour from the time he or she is expected to report for work.

Unplanned absences can disrupt work, inconvenience other employees, and affect productivity. If you have a poor attendance record or excessive lateness, you may be subject to disciplinary action, up to and including termination of employment

213 Pay Deductions

Laws require Benton County to take certain deductions from your pay. Deductions are money taken from your pay for certain things such as federal, state, and local taxes. The law also requires us to deduct Social Security taxes from your pay. We must deduct up to a certain amount called the Social Security "wage base." We also contribute to your Social Security. We pay the same amount of Social Security tax to the government as we deduct from your pay. Garnishments and other court ordered deductions are also required to be taken from your check. Any voluntary deductions require a signed payroll deduction form.

If you want to know why money was deducted from your paycheck or how your pay is calculated, contact the payroll coordinator in the Human Resources Department.

214 Direct Deposit

All County employees are strongly encouraged to establish direct deposit of his or her pay. You will have a choice of up to two transactions (i.e. two accounts in one bank/credit union or one account in two banks/credit union. All new employees will complete a direct deposit form during the orientation session. If you feel you may have difficulty establishing an account, the HR department staff will assist you.

Benefits and Approved Leaves

301 Group Benefits

Benton County offers a group health plan, life insurance, and long-term disability to all employees who work 30 hours or more per week. At the end of the 60 days waiting period, you will be contacted to attend an insurance enrollment meeting to select the coverage and supplemental policies that best meets your needs. Your coverage will begin the first day of the month following your 60 days waiting period. Employees will automatically be enrolled in the medical insurance plan if they do not “opt-out” of coverage the first day of the month following your 60 days waiting period.

Every year in late November or early December, open-enrollment for insurance will be held and you will have a choice to add or make changes to your current benefits portfolio. This is the only time of the year that changes may be made. If you have a major change to your life such as marriage, the birth of a child, the loss of coverage under a spouses plan, or death of a spouse, you may make changes to your policy outside of the open-enrollment period.

Justices of the Peace may purchase group supplemental policies but must be responsible for payment of the full premium.

302 Holidays

The Benton County Judge declares, on or before December 10th which holidays will be observed and when they will be observed. Regular Full-Time Employee, Part-time, Benefits Eligible employees, and Part-Time, Non-Benefits Eligible employees will be paid for holiday time-off. If you are eligible, your holiday pay will be calculated at your straight-time pay rate as of that holiday multiplied by the standard eight (8) hour day. If your scheduled hours of work vary from week to week, or if you are a Part-time, Benefits Eligible employee the holiday pay will be calculated using the average number of hours worked from the previous pay period. Temporary employees are not eligible for holiday pay.

If you are eligible for paid holidays, you **must** work both the last scheduled work day immediately before the holiday and the first scheduled day immediately after the holiday.

- Employees taking sick leave on the scheduled workday before or after the holiday must provide a certificate of need from their doctor for the day in question. This certificate must be attached to the payroll authorization sheet before holiday pay will be processed.
- If you are eligible for paid holidays and on the holiday you are on a paid leave, such as vacation or documented sick leave, you will get holiday pay instead of a charge against your accrued leave balance.
- Employees on Leave Without Pay are not eligible for holiday pay. Employees may not save sick pay and/or vacation pay for the sole purpose of receiving holiday pay.

If a recognized holiday falls on a Saturday, Benton County will observe it on the Friday before the holiday. If a recognized holiday falls on a Sunday, Benton County will observe it on the Monday after the holiday.

If eligible non-exempt employees work on a recognized holiday, they will receive holiday pay plus their regular wages for the holiday. Employees who work forty (40) hours during a holiday week and do not work the holiday, will have eight (8) hours added to his/her comp bank. Employees will not be allowed to use comp time or vacation time to receive more than his/her normal pay.

We do not count holiday paid time off as hours worked when calculating overtime.

303 Vacation Benefits

Benton County offers paid vacation to Regular Full-time and to Part-time, Benefits-Eligible Employees. The amount of paid vacation time you receive each year depends on how long you have been working for the County and your employment classification. This is the schedule for accruing vacation:

- * You start to accrue paid vacation time immediately, when you begin working as a Regular Full-Time Employee or Part-time, Benefits Eligible. Over-time hours are not used to calculate vacation accruals. During your first year, before you can use vacation time, you must complete 180 calendar days of employment. After the waiting period, you can request to use up to half (40 hours) of your annual vacation accrual.
- * Regular Full-Time Employees, employed less than six years, are eligible to earn up to 10 vacation days each year. Vacation leave is accrued at a rate of .004807 per hour. An employee who does not work any hours in a pay period AND does not use paid leave or earned compensatory time, (i.e. leave without pay) will not accrue vacation pay during that time. Overtime hours are not used when calculating leave hours.
- * Regular Full-Time Employees who have completed five years of continuous employment, are eligible to earn up to 15 vacation days each year, accrued at the rate of .057692 per hour. An employee who does not work any hours in a pay period AND does not use paid leave or earned compensatory time, (i.e. leave without pay) will not accrue vacation pay during that time. Overtime hours are not used when calculating leave hours.
- * Regular Full-Time Employees who have completed fifteen years of continuous employment, are eligible to earn up to 20 vacation days each year, accrued at the rate of .076923 per hour or up to 160 hours per year worked. An employee who does not work any hours in a pay period AND does not use paid leave or earned compensatory time, (i.e. leave without pay) will not accrue vacation pay during that time. Overtime hours are not used when calculating leave hours.
- * Part-time, Benefits-Eligible Employees are eligible to earn up to 5 vacation days each year. Vacation days are accrued at a rate of .004807 per hour, up to a maximum of 40 hours paid leave. Employees who work less than 40 hours during any pay period will not accrue any vacation leave.

You may not take less than one hour vacation at a time. To schedule your vacation time, you must first ask for approval from your supervisor and/or elected official. Each request will be reviewed based on a number of factors, including our business needs and staffing requirements. Compensatory time must be used prior to using vacation leave.

You will be paid for vacation time off at your base pay rate as of the time of the vacation. We encourage
*Amended Ordinances O-2008-26,
O-2013-5, O-2014-01, O-2014-48*

June, 2015

you to use your available paid vacation time for rest and relaxation. If you do not use your available vacation by the end of an anniversary year, you may carry over the unused time to the next benefit year. If the total amount of your unused vacation time reaches the "cap" amount, you temporarily stop accruing vacation. The "cap" amount is two times the annual full-time vacation accrual amount. (i.e. 160 hours, 240 hours, and 320 hours) When you take vacation again and your total accrued amount falls below the cap, you will start accruing vacation again.

For Regular, Full-Time employees and Part-time, Benefits-Eligible Employees who resign or are terminated and have been employed continuously for at least one year, they will be paid, at their current rate of pay, for the unused vacation time. The employee may also choose to use their vacation time instead of receiving a lump sum payout.

304 Sick Leave Benefits

Benton County provides paid sick leave benefits to eligible Regular full-time employees who are temporarily absent due to illness or injury to themselves or that of their parent, spouse, and/or child. Sick leave benefits are meant to provide income protection in the case you are ill or injured and are not to be considered earned time-off. Abuse of the Sick Leave Benefit may result in discipline and/or termination. They may not be used for any other absence. You will not be paid for unused sick leave benefits while you are employed and you will also not be paid for unused sick leave benefits when your employment terminates.

If you are eligible, you will accrue sick leave benefits at the rate of up to twelve days per year (.0462 per hour.) Sick leave benefits are calculated on the basis of a "benefit year." A "benefit year" is the 12-month period that begins when you are hired. Sick leave will continue to accrue until you reach a maximum level of 480 hours. Once you reach that level, you will no longer accrue until the balance falls below that threshold. You can request to use paid sick leave after you complete a 90 day waiting period from the date you are hired. An employee who is on leave without pay will not accrue sick leave pay during that time. Over time is not used when calculating sick leave benefits.

You may not use less than one hour sick leave. You may use sick leave benefits to be absent because you are ill or injured. You can also use sick leave to be absent because of the illness or injury of your child, parent, or spouse. A grandparent of a newborn grandchild may use sick leave for the day of the birth and the day following the birth. In the case where a grandparent is needed to provide primary care for his/her child or grandchild, the employee may use sick leave if approved under the Family Medical Leave Act (FMLA). A grandparent may use non-FMLA sick leave if the grandchild remains hospitalized after birth. You will not be paid for holidays if you take sick leave on either your regular scheduled workday before and/or after the holiday without presenting a doctor's statement need. Sick leave will not be available for those who require leave due to

1. Intentionally self-inflicted injury;
2. Illness or injury committed while committing a felony;
3. Illness or injury resulting from paid employment of any kind other than the county.

If you cannot report to work because of an illness or injury, you must notify your supervisor and/or elected official within one hour of your scheduled start time. Your supervisor and/or elected official must also be contacted on each additional day of absence.

If you are absent for three or more consecutive days due to illness or injury, you may be asked by your supervisor and/or elected official to provide the Human Resource Department with a doctor's statement that states you are ill or injured, when it began, and when you should be able to return to work. We may also request a similar statement for other sick leave absences of less than three days. Before you can return to work after a sick leave absence of 5 calendar days or more, you must give us a doctor's statement that you may safely return to work.

Your sick leave benefits will be calculated based on your base pay rate at the time of your absence. Unused sick leave benefits will be allowed to accumulate indefinitely.

305 Bereavement Leave

Benton County provides bereavement leave to employees who need to take time off because an immediate family member died. To ask for bereavement leave, see your supervisor and/or elected official.

Only regular, full-time employees are eligible for up to three (3) days of bereavement leave, with pay, for a member of his/her immediate family and one day for extended members of the family. For bereavement leave, "immediate family" means your spouse, parent, child, brother, or sister; your spouse's parent, child, brother, or sister; your child's spouse; your grandparent or your grandchild. "Extended" family means aunts, uncles, cousins, nephews, and nieces of you and your spouse.

We normally will allow bereavement leave; unless there is a business reason that requires you to be at work. With your supervisor and/or elected official's approval, and only when the death is within your immediate family may use any available sick leave, if you need more time off. Supervisor and/or elected officials may require documentation of need for leave if he or she believes this benefit is being abused.

If you are on vacation or other extended leave, you are still eligible for bereavement leave. Please notify your supervisor and/or elected official if such a situation occurs.

306 Jury Duty

Benton County encourages you to fulfill your civic responsibilities by serving jury duty if you get a summons. All Employees may request up to two weeks of paid jury duty leave over any one-year period.

If you are eligible for jury duty, you will be paid at your base rate of pay for the number of hours you would normally have worked that day. You will be permitted to retain any funds paid to you for jury duty.

If you get a jury duty summons, show it to your supervisor and/or elected official as soon as possible. This will help us plan for your possible absence from work. We expect you to come to work whenever the court schedule permits.

307 Witness Duty

If you get a subpoena to testify in court, or are summoned to be a witness for Benton County we will give you time off with pay.

If you choose to be a witness and are not served with a subpoena, you may be given time off, without pay. You may use vacation leave or compensatory time; to be paid for any unpaid time off you have to take. Sick leave may not be used for witness duty.

If you need to get time off to be a witness, show the subpoena to your supervisor and/or elected official as soon as you receive it. We expect you to report for work whenever you are not needed in court. You will be permitted to retain any funds paid to you for Witness duty.

308 Family and Medical Leave Act

Benton County provides unpaid family leaves of absence to eligible employees who need to take time off from work duties to meet family obligations that are directly related to childbirth, adoption, or placement of a foster child. Family leave may also be requested to care for a child, spouse, or parent with a serious health condition. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility. A serious health condition can also include continuing treatment by a health care provider.

Employees in the following employment classifications are eligible to request family leave:

- Regular full-time employees
- Regular part-time employees
- Part-time employees

Eligible employees may request family leave only after they have completed 364 calendar days and 1250 hours of service. If you think you will need family leave, inform your supervisor and/or elected official and file an FMLA request packet with the Human Resource Department at least 30 days in advance of the date the leave would start. This will help us plan for your possible absence. If it is an unexpected situation, make your request as soon as possible.

If you request family leave due to the serious health condition of a child, spouse, or parent, you may be required to submit a health care provider's statement verifying the need for family leave, the start and expected end dates, and the estimated time required.

An eligible employee may request up to a maximum of 12 weeks of family leave within any 12 month period. The 12 week maximum applies to any combination of both family leave and medical leave during any 12 month period. Before beginning any unpaid family leave, you must first use any available sick leave you may have, and time accrued in your Comp bank. You may also use your vacation leave during this time but it is not mandatory.

If your spouse is also employed by Benton County, as a couple you are restricted to a combined total of 12 weeks leave within any 12 month period for childbirth, adoption or placement of a foster child, or to care for a parent with a serious health condition.

We will continue to pay the County's portion of the group health benefits and life insurance for the full period of an approved family leave. You will be responsible for continuing payment of your share of the health plan and for any supplemental policies you may have purchased. If you continue to receive a paycheck during the time of your leave, we will continue to deduct and pay any of your supplemental premiums as well as your share of the group health benefits.

Your benefit accruals, such as vacation, sick leave, and holiday benefits, will continue during a family leave while you are receiving a paycheck. If you begin a leave without pay, your accruals for that time period will stop.

Please give us at least two weeks advance notice before you plan to return. When you return from

family leave, you will go back to the same job if it is still available. If that job is no longer available, we will place you in an equivalent job that you are qualified for. In the situation where you are the patient, you will be required to present a letter from your physician confirming your physical ability to return to your position.

If you do not come back to work promptly at the end of a family leave, we will assume that you have resigned.

FMLA Military Leave:

Service member FMLA: The Family And Medical Leave Act was amended to provide eligible employees working for covered employers leave rights related to military service. This policy supplements current FMLA policy. Except as mentioned in this section, an employee's rights and obligations to service member FMLA leave follows the existing FMLA policy. Contact your representative at Employment Traditions with questions.

1. Eligible employees are entitled to up to 12 weeks of leave because of "any qualifying exigency" arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. Examples of qualifying exigency leave could include: arranging for childcare, attending pre-deployment briefings, attending family support meetings.
2. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during "a single 12-month period" during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

309 Military Leave (Public Law 93-508, 94-286; Arkansas Code Ann. §21-4-3)

If you are a member of the National Guard or of any of the Reserve branches of the Armed Forces of the United States, and are a full-time employee, you will be granted fifteen working days of leave, plus any necessary travel time, each year for training. Military leave for annual training or other official duties is granted without any loss of pay, and is in addition to your regular annual leave.

A maximum of 15 days may be carried forward to the succeeding calendar year. Military leave is paid leave provided in addition to regular annual leave. When you request military leave, you must furnish a copy of your orders to your supervisor and/or elected official.

Military personnel called to duty in emergencies by the Governor or the President of the United States will be granted leave with pay not to exceed 30 working days, after which leave without pay will be granted. This leave will be granted in addition to regular annual leave.

If you are a full-time employee and are drafted or called to active duty in the Armed Forces of the United States or if you volunteer for military service, you will be placed on extended military leave

without pay. Any unused sick leave that you have accumulated before you go on extended military leave will be reinstated when you return. All of your unused annual leave must be paid to you before you start military leave without pay, unless you are returning to active duty for training.

If you volunteer or are ordered to active duty for the purposes of specialized training, you will be placed on leave without pay for the period of the training unless you elect to use your accrued annual leave. Leave for specialized training is in addition to your annual military training leave. You will retain your eligibility rights, including your accumulated annual leave, unless you choose to use your annual leave for the specialized training period. You will also retain any accumulated sick leave that you have before you begin the specialized training. Although you will not accumulate annual leave or sick leave during the leave without pay, your annual leave accrual rate will be calculated as though you had not been absent. The county shall continue to contribute its portion of any life or disability insurance premiums during the leave of absence on behalf of the employee, if requested, so that continuous coverage may be maintained.

You must make requests for military leave in writing, and you must attach a copy of your military orders to each request for military leave.

When you are released from active duty for military service or for specialized training, you will be reinstated to your former position or to a position with comparable pay and benefits, provided you apply for reinstatement within ninety days of your release from active duty. If you extend your enlistment or re-enlist for additional military service beyond your initial enlistment period for more than four years, or five years when your re-enlistment was at the request of the military, you will lose all reinstatement rights, and will be treated as a rehire.

If you have questions about military leave, contact The Human Resources Department for more information.

310 Leave without Pay

When an employee has not accrued any sick leave or annual leave and requires time-off of work, he or she may request leave without pay from his/her elected official. It is the decision of the elected official to determine whether or not leave without pay may be granted. Under no circumstances may a leave without pay be granted when an employee has a compensatory time available for use. Leave without pay shall be notated as such on the employee's timesheet and not marked as work. Leave without pay shall not interrupt your continuous service; however, you will not accrue paid leave, such as vacation or sick time. At no time shall the leave without pay extend more than 90, calendar days beyond the use of all paid leave.

Under circumstances where disciplinary action is being taken, an employee may be placed on leave without pay for a time period not to exceed three days.

311 Administrative Leave With Pay

Any employee who has been terminated by the County will be given a mandatory three day administrative leave with pay to allow him/her the opportunity to request a grievance hearing. The employee's last day of employment will be his/her last day worked not the end of the administrative leave with pay.

Under special circumstances, an Elected Official may grant administrative leave with pay. Timesheets should reflect the leave with pay and not reflect work hours. The Elected Official must sign timesheets for employees receiving this type of leave and should initial the dates granted.

312 Arkansas Public Employee Retirement System

Effective July 1, 2005, anyone hired by Benton County must participate in the Arkansas Public Employees Retirement System (APERS). There will be 5% of your gross wages deducted on a pre-tax basis for your part of the contribution. In addition to your contribution, the County also makes a contribution for each employee. Employees hired prior to July 1st, 2005 or those re-hired prior to December 31, 2005 may choose to either contribute or remain on the non-contributory plan. Although some County officials and employees working for the county before 1978 may be covered by an earlier plan, all those employed since January, 1978, are covered by Act 793 of 1977 and any Acts amendatory thereto.

Employees who leave the County may request a refund of their contribution but will not be eligible to draw any of the County's contribution without retiring. Under this plan, retirement benefits do not accrue during leave of absence without pay.

All full-time employees and part-time employees who work 80 or more hours each month for 90 or more days in an APERS fiscal year (July 1 through June 30) must be enrolled as a member of APERS retroactive to the date of employment.

A part-time employee hired to work less than 80 hours per month who does in fact, at some point work 80 or more hours per month, for a period of three months, must then be enrolled in APERS. Deposits will not be retroactive to the date of hire but will continue thereafter.

Specific questions should be directed to:

Arkansas Public Employees Retirement System
One Union National Plaza
124 West Capitol, Suite 400
Little Rock, AR 72201-1015

313 Workers' Compensation Insurance

Benton County provides a comprehensive workers' compensation insurance program to our employees. This program does not cost you anything.

It is very important that you tell your supervisor and/or elected official immediately about any work-related injury or illness, regardless of how minor it might seem at the time. Prompt reporting, through the filing of a WCC Form N helps to make sure that you qualify for coverage as quickly as possible and let us investigate the matter promptly. This form may be obtained from your supervisor and/or elected official or from the human resource department. Once the form has been filed with the Human Resource Department, an appointment with one of our approved physicians will be scheduled. If emergency treatment is necessary, the WCC Form N must be filed the next day

The workers' compensation program covers injuries or illnesses that might happen during the course of your employment that requires medical, surgical, or hospital treatment. Subject to legal requirements, workers' compensation insurance begins after a short waiting period, or if you are hospitalized, the benefits begin immediately. The first seven (7) days after an employee is injured are considered a "waiting period." During this time the County will still pay your salary. After the seven day waiting period, you will be paid at a rate of 2/3 your regular salary, directly from our Worker's compensation provider. If you have accrued sick time or annual leave you may use it to cover the other 1/3 of your salary. You may not use any sick time or annual leave if it causes you to exceed the amount of your regular wages. If you do not have sufficient sick leave accrued, then you may appeal to the Quorum Court (**amended 2001-64**)

Workers' compensation covers only work-related injuries and illnesses. Neither Benton County nor its insurance carrier will pay workers' compensation benefits for injuries that might happen if you voluntarily participate in an off-duty activity or are under the influence of alcohol or drugs.

313 Benefits Continuation (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) helps employees and their dependents to continue their health insurance even if they are no longer eligible under our health plan.

There are strict rules about when you can use COBRA. COBRA lets an eligible employee and dependents choose to continue their health insurance when a "qualifying event" happens. Qualifying events include the employee's resignation, termination, leave of absence, shorter work hours, divorce, legal separation, or death. Another qualifying event is when a dependent child stops being eligible for coverage under your health insurance.

If you continue your insurance under COBRA, you will pay the full cost of the insurance at Benton County's group rates plus an administration fee. When you become eligible for our health insurance plan, we will give you a written notice describing your COBRA rights. Because the notice contains important information about your rights and what to do if you need COBRA, be sure to read it

carefully.

Employee Discipline, Resignation, Termination, and the Grievance Process

401 Progressive Discipline

This policy describes the procedure for administering fair and consistent discipline for unsatisfactory conduct at Benton County.

We believe it is important to make sure that all employees are treated fairly and that disciplinary actions are prompt, consistent, and impartial. The major purpose of a disciplinary action is to correct the problem, prevent it from happening again, and prepare the employee for satisfactory performance in the future.

Although your employment is based on mutual consent and both you and Benton County have the right to terminate employment at will, with or without cause or advance notice, Benton County may use progressive discipline at its discretion as a development tool.

Disciplinary action may be any of the following four steps: 1) verbal warning, 2) written warning, 3) suspension with or without pay, or 4) termination of employment. We will look at the severity of the problem and how often it has happened when deciding which step to take. There may be circumstances when one or more steps are bypassed.

In most cases, progressive discipline means that we will normally take these steps in the following order: 1) a first offense may call for a verbal warning; 2) a next offense may be followed by a written warning; 3) another offense may lead to a suspension; and, 4) still another offense may then lead to termination of employment.

In very serious situations, some types of employee problems may justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and Benton County.

402 Resignation

Resignation means that you voluntarily terminate your employment at Benton County. If you decide to resign, we would like you to communicate your intentions, in writing, at least 2 weeks before your last day. Although advance notice is not required, you will be helping your co-workers because there will be more time to reassign work and replace you if necessary.

Before an employee leaves, we will schedule an exit interview. The exit interview helps us to understand why the employee is resigning. We can also talk about the changes to your benefits and arrange for the return of county property (i.e. keys, I.D. Badge, etc.)

At the discretion of the elected official, an employee who resigns and then is rehired, in less than thirty (30) days, will be able to maintain his/her original hire date, forego the pre-employment drug screen, and maintain active status with the group medical and supplemental insurance plans. Sick-leave balances will be reinstated to the level at the point of resignation.

Your last paycheck will not be direct-deposited but will be in the form of a paper check. . If your employment with Benton County ends, your insurance coverage will end on the last day of the month in which you last worked. Vacation leave, non-FMLA sick leave, and grievance pay may not apply when calculating last day of coverage.

403 Employment Termination

There can be many reasons why employment may terminate. The following are some of the most common reasons for termination of employment:

- * Resignation - voluntary employment termination initiated by an employee.
- * Discharge - involuntary employment termination initiated by the organization.
- * Retirement - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

We will usually schedule an exit interview if you resign. At the exit interview, we can go over such topics as your benefits, benefits conversion rights, repayment of any outstanding debt to Benton County, or return of Benton County-owned property. You may also make suggestions or complaints and ask questions at the exit interview.

Since your employment with Benton County is voluntary and at will, you may terminate your employment at any time, with or without cause or advance notice. Likewise, Benton County may terminate your employment at any time, with or without cause or advance notice.

When you are terminated by Benton County, you will receive your final pay within 7 working days from your last day worked. Your last paycheck will not be direct-deposited but will be in the form of a paper check.

Your benefits are affected by termination in several ways. All accrued, vested benefits that are due and payable at termination will be paid out. You may be allowed to continue some benefits by paying for them yourself. (see COBRA) You will be notified in writing about which benefits you can continue and the limitations and details of how to continue them. If your employment with Benton County ends, your insurance coverage will end on the last day of the month in which you last worked. Vacation leave, non-FMLA sick leave, and grievance pay may not apply when calculating last day of coverage.

404 Return of Property

Benton County may loan you property, materials or written information to help you do your job. You are responsible for protecting and controlling any property we loan you.

You must also return it promptly if we ask. If you stop working at Benton County, you must return all Benton County property immediately.

If you do not return our property and if the law allows, we may take money from your regular or final paycheck to cover the cost. We may also take legal action to get back our property.

405 Grievance Hearing Procedure:

CAVEAT: The purpose of this Grievance Hearing Procedure is to establish a required procedure to resolve applicant and employee grievances, and to thereby enable the county to voluntarily conform the conduct of county officials and county employees to the requirements of county policy. If the applicant or employee does not follow this affirmatively required county grievance hearing procedure, the county will raise waiver and estoppel as affirmative defenses to any claims against the county filed by the applicant via any administrative or judicial procedures otherwise available for redress of grievances.

Availability of Property Right Hearings

- 1) At-will employment may be terminated by either the County or the employee at any time without prior notice, without cause, and without any property right hearing.
- 2) Any claim that any employee has a constitutionally protected property right in employment, entitling the employee to continued employment, must be timely asserted in writing by the affected employee in accordance with this Grievance Hearing Procedure, or the property right claim will be waived by the employee.

Availability of Liberty Right Hearings

- 1) Any claim of illegal county employment discrimination on the basis of race, color, religion, gender, national origin, or disability or because the county is acting in a manner that is arbitrary, capricious, or unreasonable, in hiring, compensation, conditions of employment, discipline, or dismissal must be timely made in writing by the affected applicant or employee in accordance with this grievance hearing procedure.
- 2) Any claim that any employee treatment, discipline, or dismissal is unconstitutional punishment due to the employee's exercise of a constitutionally protected "liberty right" or other constitutionally protected activity of the employee must be timely made in writing by the affected employee in accordance with this grievance hearing procedure.
- 3) Any claim that any employee treatment, discipline, or dismissal is contrary to the public policy of Arkansas must be timely made in writing by the affected employee in accordance with this grievance hearing procedure.

Availability of Name Clearing Hearings

- 1) Any claim that any employee's liberty interest in future employment has been damaged as a result of any "stigmatizing charge" publicly communicated by the County must be timely asserted by the affected employee in accordance with this grievance hearing procedure.

Availability of Hearings Generally

- 1) A grievance hearing requested by an applicant or employee is not required to be held unless it is timely requested in the manner required by this Employee Grievance Hearing Procedure and required by the constitution or by this policy.
- 2) Neither liberty rights nor property rights are created by this document.
- 3) The County may, in its discretion, hold a hearing prior to any decision or deprivation.

Timely Requests for Grievance Hearing

- 1) It is the applicant's or employee's duty to request a grievance hearing.
- 2) The applicant or employee must timely file a written grievance hearing request after any claimed deprivation of the applicant's or employee's liberty or property, or any right to a hearing or to object to the deprivation shall be waived.
- 3) The grievance hearing request should state, in writing:
 - a. the grievance for which a hearing is requested;
 - b. the factual basis of the grievance; and
 - c. the relief sought.
- 4) The written grievance hearing request shall be delivered to the County Grievance Council in care of the County Judge no later than four-thirty o'clock (4:30) p.m. on the third full business day (weekends and holidays excluded) after any claimed deprivation for which a grievance hearing is requested.
- 5) Any dismissal decision shall automatically be a suspension with pay for three full business days (weekends and holidays excluded) during which time the employee subject to dismissal may request a pre-deprivation hearing, in which case the suspension with pay shall continue until the conclusion of the County Grievance Council hearing. All accrued but unpaid leave time -- e.g., vacation, comp. time, etc. -- will automatically run concurrent with the period of suspension with pay, unless the employee prevails in his or her grievance. Any discipline decision that will result in reduction or removal of pay or position shall automatically be deferred for three full business days (weekends and holidays excluded) during which time the employee subject to discipline may request a pre-deprivation hearing, in which case the deferral shall continue until the conclusion of the County Grievance Council hearing. If the employee is not successful, the effective date of termination is retro-active to the end of the automatic three (3) day suspension period.

- 6) The Grievance Council shall respond in writing to all timely submitted Grievance Hearing Requests stating:
 - a. the time and place of the hearing, if the hearing request is granted, which shall be no later than fourteen (14) working days of the request, and
 - b. the reason for denial, if the hearing request is denied.

Hearing Procedures:

After an employee requests a grievance hearing, the employee shall be notified of the date, time, and place of the hearing.

- 1) NOTICE: After an employee requests a grievance hearing, the employee shall be notified of the date, time, and place of the hearing. If the set time/date of the hearing is not acceptable, the grievant may request a change in date, time, and/or place. If the grievant fails to notify the Office of the County Judge of the intent to cancel the hearing, within twenty-four (24) hours of the hearing, they will be charged for the expenses incurred to hold the hearing, with the expense being withdrawn from his/her final paycheck.
- 2) SUSPENSION WITH PAY: If it is determined that the grieving employee should continue to work until the hearing is concluded, the employee may be requested to perform duties for the benefit of the County with pay pending the outcome of the hearing.
- 3) HEARING RECORD: The hearing shall be reported by a court reporter (not merely a tape recorder) for transcription upon request by either party at the expense of the requesting party.
- 4) PROCEDURAL ISSUES: At the hearing, on the record, the parties shall suggest any desired hearing procedures and state any complaints regarding: a) the notice; b) the date, time, or place of the hearing; c) the opportunity to refute fairly the charges; and d) the impartiality of the decision maker(s).
- 5) RULES OF PROCEDURE AND EVIDENCE: Informal rules of procedure and evidence (Ark. Code Ann. 25-15-208) shall be followed:
 - a. witnesses shall testify under oath;
 - b. parties shall be allowed, at their own expense, to obtain and use legal counsel for representation;
 - c. parties shall be allowed to obtain and use the presence of witnesses for examination, cross-examination, and rebuttal; and
- 6) PUBLICATION: The County Grievance Council shall hear the evidence offered by the parties; hear any argument desired by the parties, and vote without public discussion or deliberation. Only the decision and not the factual or legal reasons therefore, shall be announced publicly. The hearing shall be held in public if so required under the Freedom of Information Act; however, the employee may, at any time, decline the hearing and accept the intended discipline or dismissal.
- 7) CONFIRM IN WRITING: After the hearing, the grieving applicant or employee shall be sent a letter stating the factual and legal bases found by the County Grievance Council for any refusal or removal of pay or position.

Hearing Issues and Burdens of Proof:

- 1) Property Interest Hearings
 - a. The employee has the burden of proving by a preponderance of the evidence that he or she has a property interest in his or her employment.
 - b. Where the employee meets his or her burden of proof, the supervisor and/or elected official has the burden of proving "just cause" for the supervisor and/or elected official's intended discipline or dismissal of the employee.
- 2) Liberty Interest Hearings
 - a. Claim of Arbitrary Discrimination (Unequal Treatment)
 - b. The grieving employee has the burden of proving by a preponderance of the evidence that he or she is being treated differently than another person otherwise similarly situated with the employee.
 - c. Where the employee meets his or her burden of proof, the supervisor and/or elected official have the burden of proving by a preponderance of the evidence that the reason for the difference in treatment is rationally related to the effectuation of a legitimate county objective.
- 3) Claim of Unconstitutional Punishment
 - a. The employee has the burden of proving by a preponderance of the evidence that he or she has engaged in constitutionally protected conduct that was a substantial or motivating factor in any adverse employment decision, discipline, or dismissal.
 - b. Where the employee meets his or her burden of proof, the supervisor and/or elected official have the burden of proving that the adverse employment decision, discipline, or dismissal would have occurred even in the absence of the constitutionally protected conduct.
- 4) Claim of discrimination due to race, color, religion, gender, sex, or national origin
 - a. The grieving applicant or employee has the burden of proving by a preponderance of the evidence that he or she is being treated or affected differently than another person who, other than for race, color, religion, gender, sex, or national origin, is similarly situated with the applicant or the employee.
 - b. Where the applicant or employee meets his or her burden of proof, the supervisor and/or elected official has the burden of proving by a preponderance of the evidence that the proven inequality of treatment or effect is necessary to effectuate a compelling county objective.
- 5) Claim of Discrimination Due to a Disability
 - a. The grieving applicant or employee has the burden of proving by a preponderance of the evidence that he or she is a qualified individual with a disability who, because of the disability, is being treated or affected differently than another person in regard to job application, procedures, advancement, dismissal, compensation, training, or other terms, conditions, or privileges of employment.
 - b. Where the applicant or employee meets his or her burden of proof, the supervisor and/or elected official has the burden of proving by a preponderance of the evidence that the proven difference in treatment or effect is job-related and necessary to effectuate a legitimate county objective, that performance of the job cannot be accomplished by reasonable accommodation, or that the needed accommodation would result in undue hardship on the county.
 - c. Definitions: The following definitions apply to claims of discrimination due to a disability.

- 1) "Disabled" or "disability": A physical or mental impairment that substantially limits one or more of the major life activities of an individual; having a record of such an impairment; or being regarded as having such an impairment.
- 2) "Regarded as having such impairment": includes those with conditions such as obesity or cosmetic disfigurement, and individuals perceived to be at high risk of incurring a work-related injury.
- 3) Discrimination" includes:
 - (1) Limiting, segregating, or classifying a job applicant or employee in a manner that adversely affects his or her opportunities or status;
 - (2) Participating in contractual or other arrangements that have the effect of subjecting individuals with disabilities to discrimination;
 - (3) Using standards, criteria, or methods of administration in such a manner that results in or perpetuates discrimination; Imposing or applying tests and other selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities unless the test or selection criteria are job-related and consistent with county necessity;
 - (4) Failing to make reasonable accommodations to the known limitations of a qualified individual with a disability unless the covered entity can demonstrate that an accommodation would impose an undue hardship on the operation of the county; or
 - (5) Denying employment opportunities because a qualified individual with a disability needs reasonable accommodations.
- 4) "Reasonable accommodation" examples include:
 - (1) Making existing facilities used by employees readily accessible to the disabled;
 - (2) Job restructuring;
 - (3) Flexible or modified work schedules;
 - (4) Reassignments to other positions; and
 - (5) The acquisition or modifications of equipment or devices.
- 5) "Undue hardship": an action requiring "significant difficulty or expense," considering:
 - (1) The overall size of the county with respect to the number of employees, number and type of facilities, and size of the budget;
 - (2) The type of operation maintained by the county including the composition and structure of the work force of that entity; and
 - (3) The nature and cost of the accommodation needed.
- 6) "Qualified individual with a disability": an individual with a disability who, with or without reasonable accommodation, can perform the "essential functions" of the employment position held or desired.

- 7) "Essential functions": job tasks that are fundamental but not marginal (not every job task is to be included in determining the essential functions).

Claim of a Completely Arbitrary Decision.

- 1) The grieving employee has the burden of proving by a preponderance of the evidence that the action taken against him or her is not rationally related to the effectuation of any conceivable legitimate governmental objective of the County.
- 2) Where the employee meets his or her burden of proof, the supervisor and/or elected official has the burden of proving by a preponderance of the evidence that the action taken against the grieving employee is rationally related to the effectuation of a conceivable legitimate governmental objective of the County.

Claim of a Violation of Arkansas Public Policy

- 1) The grieving employee has the burden of providing by a preponderance of the evidence that he or she is being treated in a manner that violates public policy in Arkansas.
- 2) Where the employee meets his or her burden of proof, the supervisor and/or elected official has the burden of proving that the adverse employment decision, discipline, or dismissal would have occurred even in the absence of the violation of public policy in Arkansas.

Release of Employee Grievance Hearing Record:

Public access to employee grievance records is authorized only if approved by the effected employee or authorized by the Arkansas Freedom of Information Act.

Name Clearing Hearings

- 1) The grieving applicant or employee has the burden of alleging that a "stigmatizing charge" has been publicly communicated by the county or a county official or county employee and requesting an opportunity to publicly clear his or her name.
- 2) Where the applicant employee meets his or her burden of proof, the county shall provide the applicant or employee a public hearing opportunity to clear his or her name.

406 County Grievance Council

- A. The County Grievance Council shall be five (5) members of the Quorum Court, selected, each year, by the Quorum Court at their organizational meeting. If the Quorum Court fails to select members of the Grievance Council, then it shall be composed of all members of the Quorum Court. The Grievance Council shall elect a chair from number who shall serve for the year. The decision of the Grievance Council shall only be advisory to the County Judge.

- B. The County Grievance Council for employees not hired by the County Judge shall be five (5) members of the county quorum court appointed by the County Judge for the respective term, and the decision of the Grievance Council shall be the decision of the County. If the County Judge fails to appoint the Grievance Council, then it shall be composed of all members of the Quorum Court. (Ark. Con., Am. 55, Section 1).
- C. The purpose of the grievance hearing is to enable the county, through its Grievance Council, to hear (if the criterion herein is met) from the employee and the employee's supervisor and/or elected official and to thereafter determine whether or not an operational decision of the county official or employee violates the county policy. If so, the decision of the county official or employee is to be modified by the County Grievance Council to conform that decision to county policy.
- D. The County Grievance Council is not to substitute its operational judgment for that of an elected official if the decision of the county official or employee does not violate county policy.
- E. If the employee's supervisor and/or elected official refuses to abide by the County Grievance Council's decision and the County Grievance Council does not access the courts to seek an order enjoining the supervisor and/or elected official from acting contrary to decision of the County Grievance Council, then the County Grievance Council shall be deemed to have acquiesced to the decision of the supervisor and/or elected official and the decision of the supervisor and/or elected official shall become the *County's* final decision with respect to the employment action taken.

Workplace Policies

501 Safety

Safety is a top priority at Benton County. We want Benton County to be a safe and healthy place for employees, customers, and visitors. To be successful, everyone being alert and committed to safety.

We regularly communicate in different ways with employees about workplace safety and health issues. These communications may include supervisor and/or elected official-employee meetings, bulletin board postings, memos, or other written communications.

You are expected to obey all safety rules and be careful at work. You must immediately report any unsafe condition to the appropriate supervisor and/or elected official. If you violate Benton County safety standards, you may be subject to disciplinary action, up to and including termination of employment. Violations include causing a hazardous or dangerous situation, not reporting a hazardous or dangerous situation, and not correcting a problem even though you could have corrected it.

It is very important that you tell the appropriate supervisor and/or elected official immediately about any accident that causes an injury, no matter how minor it might seem at the time. When you report it quickly, we can investigate the accident promptly, follow the laws, and start insurance and worker's compensation processing.

Some of our general safety rules are:

1. Observe and practice the safety procedures established for the job.
2. Where required, you must wear protective equipment, such as goggles, safety glasses, masks, gloves, etc.
3. Horseplay and/or practical jokes are forbidden.
4. Lift properly - use legs, not back. For heavier loads, ask for assistance.
5. Know the location of fire exits.
6. Unauthorized possession of firearms or weapons of any kind on County property is prohibited.
7. Possession or working under the influence of illegal drugs or alcohol is prohibited and will lead to termination.
8. If you are on physician prescribed drugs that inhibit your ability to work in a safe manner. Notify your immediate supervisor and/or elected official of the situation.
9. Fighting or being involved in a fight will not be tolerated on County property.

502 Smoking

To protect and enhance our air quality and to contribute to the health and well-being of all employees, Benton County buildings and facilities shall be entirely tobacco free effective October 10, 2013. As of this date the use of all tobacco products, including chewing tobacco, is banned from the County workplace. Tobacco Free Workplace applies to all regular full-time and part-time employees, volunteers, visitors, and Jurors.

All tobacco use is prohibited in areas within the County worksites, without exception, this includes the use of electronic cigarettes. This policy involves common work areas; maintenance facilities, classrooms, conference and meeting rooms, private offices, hallways, the break rooms, stairs, restrooms, and employer owned or leased vehicles, county road equipment, and all other facilities. Specifically included is the main courthouse and both courthouse annexes, the Juvenile Justice Center, and the Road Departments.

No one may smoke along any path way or walk way leading to or from the entry ways of any county buildings, nor may employees smoke at the picnic tables nor outdoors in any of the grassy areas or the county owned parking lots. The county does not have jurisdiction of any city sidewalks or city owned parking lots, therefore use of tobacco in these area does not fall under this policy.

Additionally, employees may smoke in their personal vehicles, but the smoke and tobacco products must be completely contained within the vehicle. It is not acceptable that either smoking or non-smoking employees are subjected to smoke that they must walk through to reach their vehicle or any other destination on the (County) premises.

No additional breaks are allowed to any employee who smokes or uses tobacco. Finally, smokers and users of tobacco products must dispose of the remains in the proper containers. This helps to keep a neat and clean environment for all employees and our visiting partners and customers.

Failure to comply with all of the components of this policy will result in disciplinary action that can lead up to and include employment termination.

503 Visitors in the Workplace

Only visitors who are properly authorized may be on Benton County premises. This helps to maintain safety standards, safeguard employee and customer welfare, protect our property and facilities, guard confidential information against theft, and reduce potential distractions and disturbances.

Because of safety and security reasons, we ask that you discourage family and friends from visiting you at work. If you do have a visitor, we will ask you to meet that person outside of your work area.

All visitors should enter Benton County at the Security Department. If you have visitors, you are responsible for their conduct and to watch out for their safety.

If you see an unauthorized person at work, notify your supervisor and/or elected official immediately or direct the person to the Security Department.

504 Workplace Etiquette

Benton County can be a better place to work when all employees show respect and courtesy to each other. Sometimes there are problems when employees do not realize that they are bothering or annoying other people. If this happens to you, you should first try to solve the problem by politely telling your co-worker what is bothering you.

In most cases, if you use common sense, the problem can be fixed. We encourage you to keep an open mind. If another employee tells you about something that you are doing that makes it hard for that person to work, try to understand the other person's point of view.

The following are some guidelines and suggestions for how to be considerate of others at work. You will not necessarily be disciplined if you do not follow these suggestions, but the guidelines will help you get along with others. If you have comments or suggestions about workplace etiquette, contact the Human Resources Department.

- Return copy machine and printer settings to their default settings after changing them.
- Avoid public accusations or criticisms of other employees. Address such issues privately with those involved or your supervisor and/or elected official.
- Try to minimize unscheduled interruptions of other employees while they are working.
- Communicate by email or phone whenever possible, instead of walking unexpectedly into someone's office or workspace.
- Be conscious of how your voice travels, and try to lower the volume of your voice when talking on the phone or to others in open areas.
- Keep socializing to a minimum, and try to conduct conversations in areas where the noise will not be distracting to others.
- Try not to block walkways while carrying on conversations.
- Refrain from using inappropriate language (swearing) that others may overhear.
- Avoid discussions of your personal life/issues in public conversations that can be easily overheard.
- Monitor the volume when listening to music, voice mail, or a speakerphone that others can hear.
- Clean up after yourself and do not leave behind waste or discarded papers.
- Avoid gossiping about others and ask others not to gossip as well.

505 Personal Appearances

It is the responsibility of every Elected Official to determine the dress codes for his/her employees. It should always be remember that your clothes and appearance represent you and you represent Benton County

To help define what is generally acceptable, clothing should be clean, neat, and still look right for business. You should never wear stained, wrinkled, frayed, or revealing clothing to work on any day. Check with your supervisor and/or elected official if you have any questions about what you can wear to work.

Personal appearance means how you dress, how neat you are, and your personal cleanliness standards. Your personal appearance can influence what customers and visitors think about Benton County. Personal appearance can also impact the morale of your co-workers.

If your supervisor and/or elected official finds that your personal appearance is inappropriate, you will be asked to leave work and return properly dressed and groomed. If you are asked to leave, you will not be paid for the time you are away from work. See your supervisor and/or elected official if you are not sure about the correct clothing standards for your job.

Where necessary, Benton County may make a reasonable accommodation to this policy for a person with a disability.

506 Computer and Email Usage

It is a violation of this policy to share your password with anyone. Employees are prohibited in using their County-owned computer, tablet, or phone to watch television or movies. To make sure that all employees follow this policy, we may monitor computer and email usage.

We try hard to have a workplace that is free of harassment and sensitive to the diversity of our employees. Therefore, we do not allow employees to use computers and email in ways that are disruptive, offensive to others, or harmful to morale.

At Benton County you may not display, download, or email sexually explicit images, messages, and cartoons. You also may not use computers and email for ethnic slurs, racial comments, off-color jokes, or anything that another person might take as harassment or disrespect.

You may not use email to ask other people to contribute to or to tell them about businesses outside of Benton County, religious or political causes, outside organizations, or any other non-business matters.

Benton County buys and licenses computer software for business purposes. We do not own the copyright to this software or its documentation. Unless the software developer authorizes us, we do not have the right to use the software on more than one computer.

You may only use software on local area networks or on multiple machines according to the software license agreement. Benton County prohibits the illegal duplication of software and its documentation.

If you know about any violations to this policy, notify your supervisor and/or elected official, the Information Services Department or any member of management. Employees who violate this policy are subject to disciplinary action, up to and including termination of employment.

507 Use of Equipment and Vehicles

Equipment and vehicles essential in accomplishing your job duties are expensive and may be difficult to replace. When you use Benton County property, you should be careful, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Under no circumstances will equipment or vehicles be loaned or leased by any County employee or elected official to anyone in the private sector. In addition, equipment or vehicles be loaned or leased to a public or non-profit organization without the prior consent of the County Judge.

Smoking will not be permitted in County-owned vehicles at any time.

Tell your supervisor and/or elected official if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. When you promptly report damages, defects, and the need for repairs, you can prevent deterioration of equipment and possible injury to employees or other people.

See your supervisor and/or elected official if you have questions about your responsibility for maintenance and care of equipment or vehicles you use on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action, up to and including termination of employment.

508 Recycling

We want to help the environment by recycling at Benton County. We are committed to buying, using, and disposing of products and materials in the best ways for the environment.

You should use the special recycling containers when you throw away the following materials:

- * computer paper
- * white high grade or bond paper
- * ledger paper
- * newspaper
- * corrugated cardboard
- * aluminum
- * plastics
- * printer cartridges

We also want to reduce the amount of paper and other resources that get used and then thrown away. These are some ways that you can help reduce using up natural resources:

- * communication through computer networks with email
- * posting memos for all employees
- * two-sided photocopying
- * computerized business forms
- * routing slips for reports
- * eliminating fax cover sheets
- * reusing paper clips, folders, and binders
- * reusing packaging material
- * turning off lights when not in use

Whenever possible, we encourage you to buy products for work that contain recycled or easily recyclable materials.

509 County Travel and Meal Expenses

- A) **Purpose:** The purpose of this policy is to establish the procedures governing the eligibility for payment incurred by County Employees and Elected Officials during travel related to County business. Elected officials and department heads must approve all requests for official travel prior to the employee's departure. Elected officials and department heads will evaluate travel requests against factors including budget constraints, job relatedness of traveler's activities, and other program considerations judged by the elected official or department head to have an impact on the request.
- B) **Non-County Reimbursements:** County employees and elected officials will not receive duplicate reimbursement from the County for attending workshops and meetings.
- C) **Transportation:** For travel by air, bus or train, actual cost will be paid directly from the County to the vendor. Where possible, air reservations should be made 30 days prior to departure to maximize discounts. Vendor supplied receipts must be submitted with payment requests. Taxicab and bus fares within the visited city will be reimbursed at actual cost with receipts required. Employees who intend to rent vehicles (only compact or mid-sized cars) for official County business must secure approval from their elected official or department head. Air travel must be at economy class.

Reimbursement for use of a private vehicle is allowable on a per-mile basis based on the Standard Mileage Rate as set by the U.S. General Services Administration (GSA). Employees can check with the Accounting Department for the current Standard Mileage Rate. Reimbursement shall be based only on official miles driven, and the County shall not assume responsibility for maintenance, operational cost, accidents, or fines incurred by the owner of the vehicle while on official business for the County. When more than one County employee is transported in the same vehicle, only one owner shall be entitled to mileage reimbursement.

Trip distances shall be computed from the odometer readings and recorded on the Travel Request Form. Should the employee, in the course of County-related travel,

use his/her vehicle for personal use, then the employee is only allowed reimbursement for the County-related mileage as listed on the Travel Request Form.

Map mileage or computer generated maps such as MapQuest or Yahoo Maps may be utilized to determine mileage. The County will only reimburse for the most direct route unless the employee is required to make alternate stops, which shall be noted on the Travel Request Form.

All employees traveling in personally owned vehicles for County business must have current vehicle insurance and a valid driver's license. If said employee does not have current vehicle insurance and a valid driver's license, then it is the responsibility of the elected official or department head to prohibit the use of a privately owned vehicle on County business. The elected official or department head in approving an employee's claim for reimbursement of travel by private automobile is, in effect, certifying that he/she has made a reasonable effort to determine that the employee has current insurance.

Personal vehicle mileage reimbursement shall not exceed available economy airfare, nor shall food and lodging expense be for more than one day of travel time to and from the destination.

D) Meals During Travel:

Meals during travel will only be reimbursed or funded by the County if consumed while traveling outside the County boundaries. The County will pay no more per day than the Standard Meal Allowance as set by the GSA for the area in which the travel occurs. The Standard Meal Allowance includes cost of meal and any incidental expenses, such as tips. Tips shall not exceed 15% of cost of meal. Current rates and exceptions for high-cost areas can be obtained at the GSA website www.gsa.gov/perdiem.

County employees will use the Meals & Incidental Expenses ((M&IE) rate published in the current GSA per diem policy. In all cases for two or more days of travel, the per diem rate for the first and last day of travel will be 75% of the maximum M&IE rate.

Snacks such as soda, coffee, candy, tobacco items and other personal items are not allowable County expenditures per the State Auditor.

E) Local Meals:

Reimbursement for local meals will only be made if they meet the following IRS conditions:

- i. They are furnished on Benton County-premises or facilities utilized for County functions and are for the convenience of the County (i.e. during training sessions and during emergency events).

F) Lodging:

Actual costs for single-room rate lodging are paid by Visa Card, when available; directly by the County to the establishment; or can be reimbursed to the employee

with actual receipts attached to the payment request. It is recommended that the employee find lodging that offers government rates as established by the GSA for the specific area. In cases where an employee is attending a conference/association meeting and the conference assigns or recommends the hotel, then the County will pay the conference rate. The County shall not pay for personal items such as movie rental, flowers, laundry services, room service, or alcoholic beverages.

G) Parking and Tolls:

Expenses incurred for parking and tolls are reimbursable with actual receipts.

H) Seminar and Conference Registration:

Seminar and conference registration fees, etc., are paid directly by the County to the registrar, or can be reimbursed to the employee with actual receipts attached to the payment request.

I) County Visa Cards:

Only authorized employees who have been assigned a County Visa Card may utilize that card for lodging. The County Visa Card will also be allowed for meals but fuel purchases should be only made using the Visa Card when the County Fuel Card is not accepted. If the County Visa Card is used for meals during overnight travel it should be noted that the receipts for the Card must be provided and checked for accuracy by the immediate supervisor on the Travel Request Form before submission to the Accounting Department.

J) Travel Advances:

The County may sometimes give employees a cash advance to cover the expected expenses for an approved trip. If an employee needs a cash advance, he/she must complete the Travel Request Form which is available from the Accounting Department. All advances must be approved by the elected official or department head. The Travel Request Form must be completed and turned into the Accounting Department within 72 hours of return. Receipts for every expense item claimed must be submitted with the Report.

It is a very serious matter if you record false or misleading information on your Travel Request Form. You may not request reimbursement for expenses that you did not have or that were not business-related. Employees who do not follow this travel policy could be subject to disciplinary action, up to and including termination of employment.

510 County Uniform and Clothing Allowance Policy

A) County purchased uniforms and work clothing issued to employees must meet County guidelines in order to be purchased. Departments shall identify uniforms or work clothing items as being specifically required for a position, program participation, or event.

B) Only items required for specific position, program participation, or events may be purchased, unless otherwise approved by the appropriate Elected Official.

C) Department identified uniforms must bear the Benton County Government logo in a conspicuous place. Specific departments may be granted approval for logos other than the standard Benton County Government logo by the County Judge.

D) Uniforms and work clothing is defined by the IRS. (See Publication 529)

E) Items that are not adaptable to general use are excluded from the requirement to bear the County logo. These items include safety equipment items that are exposed to hazardous waste, items that would not be adaptable to use outside the workplace, work clothing for uniformed and/or certified public safety employees, and items that do not leave County premises.

F) If appropriated by the Quorum Court, employees may be eligible for a work clothing allowance. Such allowances are a benefit for a particular position. Such allowances will only be considered for specific positions and amounts, not as a gross amount for departments to allocate on a discretionary basis. In considering requests for a clothing allowance, the Quorum Court may take into account how similar positions are treated by other employers. While the Quorum Court has ultimate discretion with regard to any particular clothing allowance, such will generally not be considered for positions which are purely office work or positions which are already provided daily uniforms at the County's expense. Such allowances are taxable income and will be included on an employee's W-2. Any work clothing allowance will be divided and paid out to the employee as part of the employee's pay throughout the course of the year unless otherwise approved by the elected official for whom the employee works. With such approval, any work clothing allowance up to the full annual allowance may be expended or paid out in a single lump sum with the amount so expended to be accounted for throughout the course of the year in order to recover the amount advanced. In such instances, the employee shall sign an agreement allowing the advanced amount to be withheld from the employee's final paycheck in the event the employee separates from employment.

G) Care and Maintenance of Uniforms – Benton County may provide a cleaning service for all issued uniforms. The County will be responsible for the cost of cleaning/maintaining all issued uniforms. Employees are personally responsible for the proper care, cleaning, alterations and repair of any work clothing purchased with his/her allowance.

511 Certificate Pay

When an employee achieves certain professional certifications, degrees, and/or technical certifications he/she brings more value to the County. If certifications/degrees are beneficial and necessary to the operations of an elected official, that elected official may develop a plan and submit the plan to the Quorum Court for funding consideration during the annual budget process. Each plan should include the title of the certification/type of degree; how obtaining this certification/type of degree benefits the organization; and the amount of additional wages associated with obtaining the certification/ degree.

If the County pays for the certification/training, and the employee voluntarily leaves employment, prior to one year of completing the certification/training, the following reimbursement of the total cost of the program (registration, travel, lodging, and expenses) applies: voluntarily leaves employment under the same elected official in less than six months of the completion of training will be charged 75% of the total cost of the program; voluntarily leave employment under the same elected official within six months to one year of completion of training will be charged 25% of the total cost of the program. Any amount owed the County for reimbursement of training/certification costs will be deducted from the employee's last paycheck.